

UNITED STATES DISTRICT COURT

for the

WESTERN District of TEXAS

United States of America

v.

NATHANIEL DAVID LEAL

Case No. SA-21-MJ-00665

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 26, 2021 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 922(g)(1)

Possession of a Firearm by a Felon.

PENALTIES: Up to 10 years imprisonment, \$250,000 fine, 3 years supervised release, and \$100 mandatory special assessment.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

JASON LANKFORD

Digitally signed by JASON LANKFORD
Date: 2021.06.08 14:29:53 -05'00'*Complainant's signature*

Jason Lankford, ATF Special Agent

Printed name and title*Judge's signature*

Richard B. Farrer, U.S. Magistrate Judge

Printed name and title

- ☐ Sworn to before me and signed in my presence.
☒ Sworn to telephonically and signed electronically.

Date: 06/10/2021City and state: San Antonio, Texas

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Jason Lankford, being duly sworn do hereby depose and state:

1. That your affiant is currently employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives and have been so employed since 2013. Since 2013, your affiant has participated in numerous investigations concerning felons in possession of firearms. That as part of your affiant's training and experience, your affiant knows that it is unlawful for a person to possess firearms if they have been previously convicted of a felony in violation of 18 U.S.C. § 922(g)(1).
2. On April 26, 2021, San Antonio Police Department officers arrested convicted felon Nathaniel David LEAL at the 7/11 located at 2302 West Avenue, San Antonio, Texas, Western District of Texas. Officers were responding to a call about a stolen firearm and, as they arrived, they observed LEAL with a firearm tucked inside the waistband of his pants. Although LEAL did not have the firearm when they reached him, SAPD officers located a Armscor, model M1911-A1 FS, .45 caliber pistol, serial number RIA1781449 in the brush line near where he was arrested.
3. A witness who had driven LEAL to the 7/11 stated that LEAL had been discharging the firearm in the air while sitting in their vehicle. LEAL later exited the vehicle and pointed the firearm at the witness, stating "I'm going to kill you." The witness also stated that LEAL attempted to carjack other people at the 7/11.
4. The Armscor, model M1911-A1 FS, .45 caliber pistol, serial number RIA1781449 was manufactured outside of the state of Texas, thus traveling in interstate and/or foreign commerce.
5. A criminal history query revealed that LEAL has two felony convictions and one misdemeanor crime of domestic violence:
 - a. 2019CR0009, 227th District Court, Bexar County-Retaliation.

- b. 105th District Court Corpus Christi, Poss. CS PG 1 < 1G; 8/1/2012 conviction.
 - c. 2014030124, Kleburg County, Assault Causes Bodily Injury/Family Member
6. Based on the above facts, your affiant believes there is probable cause that Nathaniel David LEAL, did possess a firearm in violation of Title 18 USC 922(g)(1).

**JASON
LANKFORD**

Digitally signed by JASON
LANKFORD
Date: 2021.06.08 14:30:32 -05'00'

Special Agent Jason Lankford
Bureau of Alcohol, Tobacco, Firearms, and Explosives

SUBSCRIBED AND SWORN TO ME
THIS 10 DAY OF June 2021.



Honorable Richard B. Farrer
United States Magistrate Judge
Western District of Texas